

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

195M0390

HOUSE BILL NO. 1133

Introduced by: Representatives Hanks, Brunner, Davis, Hargens, Howie, Jensen, Koistinen, Pederson (Gordon), and Street and Senators McNenny, Gant, Koskan, and Lintz

1 FOR AN ACT ENTITLED, An Act to define the extraterritorial platting jurisdictional area of
2 municipalities for the purpose of platting land.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-6-26 be amended to read as follows:

5 11-6-26. After the city council of any municipality has adopted a comprehensive plan that
6 includes at least a major street plan or has progressed in its comprehensive planning to the stage
7 of making and adopting a major street plan, and has filed a certified copy of the major street
8 plan in the office of the register of deeds of the county in which the municipality is located, no
9 plat of a subdivision of land lying within the municipality, or of land within ~~three miles of its~~
10 ~~corporate limits~~ the extraterritorial platting jurisdictional area and not located in any other
11 municipality, may be filed or recorded unless the plat has the recommendation of the city
12 planning and zoning commission and the approval of the city council. As an alternative, the plat
13 may be reviewed and approved in accordance with § 11-3-6. This provision applies to land
14 within ~~three miles of the corporate limits~~ the extraterritorial platting jurisdictional area of the
15 municipality and not located in any other municipality only if the comprehensive plan or major



1 street plan includes such land. However, if such extra municipal land lies within ~~three miles~~ the
2 extraterritorial platting jurisdictional area of more than one first or second class municipality,
3 the jurisdiction of each municipality terminates at a boundary line equidistant from the
4 respective corporate limits of the municipalities, unless otherwise agreed to by a majority vote
5 of the governing body of each such municipality. The plats shall, after report and
6 recommendations of the commission are made and filed, be approved or disapproved by the city
7 council or reviewed and approved in accordance with § 11-3-6. The commission shall make its
8 recommendation to the council within sixty days of submission.

9 For the purposes of this section, the extraterritorial platting jurisdictional area of a
10 municipality applies to land within three miles of the corporate limits of a first class
11 municipality, within two miles of the corporate limits of a second class municipality, and within
12 one mile of the corporate limits of a third class municipality.